

IN THE CLAIMS:

Please amend claims as follows:

1. (Currently amended) Method ~~for executing a communication attempt with a mobile terminal device in accordance with attainability status of said mobile terminal device in a cellular communication network having a Short Message Service Center (SMSC) by,~~
comprising:

a service center providing a querying to said a short message service center SMSC in said a cellular network for obtaining an attainability status of said a mobile terminal device in order to determine whether to deliver a communication to said mobile terminal device, by

said short message service center responding to the query by evaluating connection related data stored in said short message service center SMSC, wherein said connection related data is related to messages pending for delivery to said mobile terminal device, and

delivering said communication attempt to said mobile terminal device in accordance with said attainability status.

2. (Currently amended) Method according to claim 1, wherein in response to said query of to said short message service center SMSC, the short message service center further comprises a query of queries a Home Location Register (HLR) home location register of the cellular communication network for an attainability status of said mobile terminal device, and wherein said attainability status is obtained by evaluating connection related data stored in said home location register HLR.

3. (Currently amended) Method according to claim 1, wherein said connection related data are related to the indicative of a connection state of said mobile terminal device.

4. (Currently amended) Method according to claim 1, wherein said connection related data are indicative of a ~~are~~ location-related of the mobile terminal device.

5. (Currently amended) Method according to claim 1, wherein said evaluating the connection related data comprises ~~the evaluating of data related to the communication to be attempted.~~

6. (Currently amended) Method according to claim 1, wherein said query to said short message service center comprises a ~~is executed by initiating a Short Message~~ short message delivery to said SMSC ~~short message service center, said Short Message~~ short message being destined for said mobile terminal device.

7. (Currently amended) Software tool for determining attainability status of a mobile terminal device in a cellular communication network having a short message service center for subsequently executing a communication attempt with a ~~the~~ mobile terminal device in accordance with the attainability status of said mobile terminal device in a cellular communication network, comprising program code means for carrying out the steps-method of claim 1, ~~when~~ wherein said software tool is implemented in a program run on ~~a~~ the ~~Short Message Service Center~~ short message service center, Service Center ~~a service center~~ or a network device.

8. (Currently amended) Computer program for determining attainability status of a mobile terminal device in a cellular communication network having a short message service center for subsequently executing a communication attempt with a ~~the~~ mobile terminal device in accordance with the attainability status of said mobile terminal device in a cellular communication network, comprising program code means for carrying out the steps-method of

~~Center~~short message service center, a ~~Service Center~~service center or a network device.

9. (Currently amended) Computer program product comprising program code means stored on a computer readable medium for carrying out the method of ~~anyone of claims 1 to 6~~claim 1, ~~when wherein~~ said program product is configured to run on a the Short Message Service Center~~short message service center~~, a ~~Service Center~~service center or a network device.

10. (Currently amended) ~~Short Message Service Center (SMSC)~~A short message service center, connectable to a cellular communication network comprising a service center and a Home Location Register (HLR)~~home location register~~, ~~comprising components for receiving messages, forwarding messages, and querying HLR data of a mobile terminal device,~~ characterized by comprising:

a component for responding to a query from the service center for obtaining data related to the attainability status of a mobile terminal device,

a component for querying the home location register to obtain connection related data of the mobile terminal device and evaluating said connection related data related to the attainability status of a mobile terminal device, to obtain an attainability status of the mobile terminal device by evaluating, said connection related data being related to messages pending for delivery to said mobile terminal device, and

a component for delivering ~~messages-communications to the mobile terminal device according to said obtained data related to~~in accordance with the attainability status of said mobile terminal device.

11. (Currently amended) ~~Short Message Service Center (SMSC)~~The short message service center of claim 10, further comprising a component for generating a message to the service

center according to results from ~~the said component for evaluating the connection related data.~~

12. (Currently amended) Network device connectable to a ~~Short Message Service Center (SMSC)~~short message service center of a cellular communication network, comprising ~~components for sending and receiving messages, characterized by:~~

a component for generating a message for querying a ~~SMSC~~the short message service center for data ~~being~~ related to messages pending for delivery to a mobile terminal device ~~and transferring said data to said network device,~~

a component for ~~obtaining~~receiving an attainability status of said mobile terminal device from said ~~transferred data~~short message service center, and

a component for delivering a communication attempts to the mobile terminal device according to said attainability status of said mobile terminal device.

13. (Currently amended) Network device according to claim 12, wherein said cellular network further comprises a ~~Home Location Register (HLR)~~home location register, and wherein said network device further comprises a component for generating a message for inducing said ~~SMSC~~short message service center to query ~~HLR~~home location register data of said mobile terminal device and for transferring said data to said network device.

14. (New) A short message service center, connectable to a cellular communication network comprising a service center and a home location register, comprising:

means for responding to a query from the service center for obtaining attainability status of a mobile terminal device,

means for querying the home location register to obtain connection related data of the

mobile terminal device and evaluating said connection related data to obtain an attainability status of the mobile terminal device, said connection related data being related to messages pending for delivery to said mobile terminal device, and

means for delivering communications to the mobile terminal device in accordance with the attainability status of said mobile terminal device.

15. (New) The short message service center of claim 14, further comprising means for generating a message to the service center according to results from evaluating the connection related data.

16. (New) Network device connectable to a short message service center of a cellular communication network, comprising:

means for generating a message for querying the short message service center for data related to messages pending for delivery to a mobile terminal device,

means for receiving an attainability status of said mobile terminal device from said short message service center, and

means for delivering a communication to the mobile terminal device according to said attainability status of said mobile terminal device.

17. (New) Network device according to claim 16, wherein said cellular network further comprises a home location register, and wherein said network device further comprises means for generating a message for inducing said short message service center to query home location register data of said mobile terminal device and for transferring said data to said network device.